P. J. 51 of 95

G. R. S. [X-5]

Previous references.

1893-94

192

(L. R.)

File No. 89 of 93

Serial Nos. 1-13

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Major ~~Part~~ B for January 97.

SUBJECT.

Complaint of Hanumanthappa & ~~certain~~ others regarding the levy of wet assessment ~~on this~~ on lands below ~~the tank at~~ Hunise kunte ~~in the~~ town Goribidno or Taluk.

WD 2233—GPB—20,000—14-6-20

Continued

Indexed

MB

(1)

Office note

Petition no 1312 dated
30th September 1893

Petitioners : 1 Hanumanthappa
2 Venkatramanappa
3 Ex-Subbanna
and others

The petitioners complain of the imposition of wet assessment on their lands below an alleged private tank at Hunisekunte in the Goribednoor Taluk.

They state:—

(1) That they constructed the tank in question in the year Akshaya (1866-67) at their own cost amounting to about Rs 2000 and brought under cultivation the lands under it.

(2) That at the time of constructing the tank they executed a muchalika to Govt, stipulating to pay a permanent assessment at the rate of 16 mm 1½ per kolga on the lands below the said tank

(3) That at the survey & settlement wet assessment was imposed on the achakal lands under the tank

~~(4) [illegible]~~
~~[illegible]~~
~~[illegible]~~
~~about 3 years ago~~

Highest bidder:	Highest bid
	Rs. as B
Subbarayappa	1-4-0
Linga bin Mylari	8-0-0
Seshappa	6-0-0

7 extent & the assessment
these lands are:-
Survey no. 5: Dry: 4 acres 20 gs
assess^t Rs 4-8-0

~~Pet~~ 735
10-11-93
Survey no. 9: Dry: 8 acres 9 gs
assess^t Rs 7-0-0

Survey no. 27: wet: 5 acres 20 gs
assess^t Rs 12-0-0

On the 8th Decr 1893 Petitioners
Lakatramanappa, Subbarayappa
Hanumanthappa & others
have a Kaiphiyat before the
Chikballapur Sub Divn. officer
in which they stated that they
would pay up the full amount
of arrears Rs 118-1-7 within
one week and that in case
they failed to do so, their other
property might be sold and
the sale already held might be
confirmed. They however prayed
that the said amount ~~should~~
might be held in deposit pending
final orders in the case and that
the sale of the lands above mention
might be cancelled.
The petitioners having failed
to pay up the arrears as promised
notice was issued to them
28-5-94 by the Amildar
~~[illegible]~~ in which they were
warned that the sale would
be confirmed if payt was not
made within one month.
The notice was served in June
1894 when the Petrs refused to
pay up the amount unless their
prayer was granted (vide Shara
the notice) The Dr Comr. in his docket
861 85-3-96 states that ~~it is not clear~~
~~either or not~~ the sale was not
confirmed owing to the Khatedars
Takrar

On receipt of the
above petition the
Dy Commr. was requested
to submit an
immediate report as
to how the case had
been dealt with by him
vide Pet 735/10-11-93
The Deputy Commr.
thereupon addressed
the Sub Divn. officer of
Chickaballapur on
the above subject.
The Deputy Commr.
in his letter no. 401/246
dated 23d July 1894 to
the Sub Divn. officer
observed as follows:-
4 "The available records
connected with the
case under notice ~~[illegible]~~
simply show that in his
order no. 59 dated the
7th July 1865 Mr. Krishna
Iyengar late Dy Supt
of the District granted
to one Hanumappa
and Seshappa on Sa
Cowle for 3 years Ce

Government unoccupied dry lands attached to Hunsekunte village Goribidnoor Taluk with the approval of the Supt late Nandidroog Divn though in a previous order (No. 39 dated 13th June 1865) issued by the D.Y. Supt. to the Amildar of the Taluk on the subject it is stated that under the terms of the Chief Commissioner's Proclamation the applicants would after obtaining the lands be at liberty to cultivate any kind of crop thereon by means of a well or tank constructed by themselves.

5 In granting the land on Shraya tenure no reference is made to the grant of permission to restore or construct the Kunte in question. The absence of any concession such as the one petitioner's now claim is conspicuous in the Supt's order".

Takran in the matter and the lands are partly in his possession and partly that of his Shikmi Kandidars.

(4) That upon a representation of the petitioners' case three or four years ago the Supt. of Survey ordered that dry assessment should be levied on the lands under Hunisekunte tank and in accordance with this order the Deputy Commr. directed the Amildar to levy only dry assessment on the said lands.

(5) That they are willing to pay all the arrears due on the lands in question if their prayer for remission of wet assessment is granted

(6) That the lands in question have, they are informed, been actually sold ⊗ on the 10th Sept. 1893. for arrears of revenue

(7) That lands under similar private tanks in the Taluk are assessed at only dry rates

The petitioners pray that the sale may be set aside and the lands restored to them on dry assessment. They further pray that if Govt are not disposed to grant them remission, the cost of construction of the tank together with interest up to date may be ordered to be paid to them

⊗ No. 1009 of 10-2-87

Note It would appear that the survey Supt's order and that issued to the Amildar do not relate to the petitioners' lands under Hunisekunte tank (vide Amildar's reports nos 567 of 6-9-88 & no. 1479 of 11-5-88)

⊗ The demand notice was served on the petitioners in April 1893. Lands nos 5, 27 & 9 below Hunisekunte tank belonging to them were declared forfeited to Govt on 23-7-93. The notice of sale advertising that those lands would be sold by public auction on the 10th Sept. 1893 for arrears of revenue amounting to Rs 118-1-9 was issued on 23-7-93. It was published by beat of tom-tom on the 2d Augt '93. The party on whom this notice was served stated that if their prayer for remission was granted they would pay up the balance (with amount of arrears minus the amount to be remitted). The sale was held on the 10th Sept. 1893. The lands were knocked down to the highest bidders as noted

With the above observation the Deputy Commr. requested the Sub Divl. Officer to furnish information on the following points:-

"1 Did the petitioners or their predecessors in title obtain written authority from the Deputy Supt. for the construction of the tank which they claim as a "Hathlagawa" tank and if so, where is such authority?

2 When is after or previous to obtaining possession of the land was the tank constructed by the petitioners or their predecessors and what was the cost of its original construction?

3 Was the tank constructed according to an Estimate approved by the Dy Supt. or the Irrigation Department?

approximate estimate?"

The Sub Divn. Officer was also requested to forward a statement showing the total actual below the tank, the area under cultivation and that lying waste with assessment thereon during each year since the survey settlement with an explanation as to the cause of any variation in the figures.

No. 264 dated 25.12.94

The following is the reply to the above from the Sub. Divn. Officer:—

"2 With regard to the first question the petitioners say that they lost the Dy Supt's final order authorising them to construct the tank. They quoted the number 77 of the 23d Octr 1867 in their petition to the Dy Commr dated 24th March 1888. Considering the long time that has elapsed, the terms of the Darkhast must

already referred to and the Dy Supt's order no 39 dated 13th June 1865 which are in the records may perhaps be accepted as some evidence of their allegation.

3 The petitioners say they constructed the tank at a cost of Rs 2000-2-8 but Hanumanthappa in his petition of the 26th March 1888 states the cost to be upwards of Rs 1500.

4. There is nothing to show that any estimate was prepared by the Dy Supt or the Irrigation Deptt.

5. The petitioners say that they repaired the tank twice once in Vibhava and again in Dhatu. There is no other proof of this than their own statement and Petty.

6 During my last jamabandy inspection I inspected the tank. The bund is in fair order but not the Kodi or sluice. Considering that the peti-

4 Has the tank undergone any repairs since the date of its original construction and if so how often when and at what cost?

5 What was the condition of the tank at the time of the survey settlement what is its present condition and has it always been maintained at the approved standard?

6 Have the petitioners kept proper accounts of the outlay incurred by them on the construction of the tank and on the subsequent repairs (if any) executed by them and if so have they furnished such accounts to the Tahsil authorities from time to time?

7 Was the tank inspected by any responsible Revenue or Public officer immediately after completion and the work certified to have been carried out satisfactorily & according to

tioners have not, for many years, been given any remission it is too much to expect them to keep the tank in tip top order. The grant of concession may now be made conditional upon their putting the tank in good order.

7. The petitioners have produced putties of cost which they allege they incurred. They never furnished any account to Government.

8. There is very little wet land below the tank. Before the Survey settlement land, of which the extent now is 25 acres 14 guntas and assessment Rs 179-12-0 was in the holding of the petitioners who resigned most of it before the settlement.

Land measuring 18 acres 9 guntas and bearing 23 1/2 rupees assessment is in their holding now. Of this 3 acres & 25 guntas assessed at Rs 11 is wet

officer and the petitioners cannot therefore in my humble opinion be regarded as "Hathlagavadars" justly entitled to the liberal terms offered in the late Chief Commr's Circular no 227 of the 31st March 1863.

* Page 187 of the Mysore Revenue Manual of 1886

11 In the first place the petitioners have not produced any written authority from the District Officer sanctioning the construction of the tank or conferring on them the status and privileges of Hathlagavadars within the spirit of the circular orders, nor does the tank which is alleged to have been constructed at an outlay of Rs 2000 appear to have been built according to any design or estimate approved by the Revenue or P. W. authorities and examined by such authorities after completion

The Deputy Commr.
was also ~~[illegible]~~ requested
-ed to state what was
the assessment - wet or
dry - which was levied
on the lands in question
during the interval
between the construct
-ion of the tank and
the survey settlement.

The Supt. of Survey
thereupon replied as follows:-

"In my opinion the
fact that, as admitted
by the Deputy Commr. at
Para 4 of his letter No. 401/246 *
of the 23d. July 1894 to the
dress of the Sub Divn.
y the terms of the
Commr's Proclamation
stated in the Deputy
rder No. 39 dated
1865 to be appli-
some respects to
points to some
on being shown
ant. I think
sted by the

No. 384 of 26

* quoted abo
(vide page 3 of the

10

land on which petitioners claim the concession of dry rate of assessment being fixed. The arrear due on the land amounted to Rs 118-1-7 up to Nandana and has been since accumulating pending the settlement of this question of concession".

The Deputy Commr reported to Govt as follows:-

2 "After a careful consideration of all the circumstances of the case I feel myself unable to agree with the Sub Divl. officer in thinking that the petitioners are entitled to any concession in respect of the lands referred to by them.

3 The case does not fulfil the requirements of the Govt orders quoted in my letter to the Sub Divn

50 67 / 1548 23. 6. 95

that the tank could ever have been maintained by them at any approved standard so as to render them eligible for any concession under the rules.

7 The rate of assessment imposed by the Survey Deptt on the land in question is favourable enough being only 3 rupees per acre and I cannot recommend any further concession in respect of this small extent of land till the petitioners establish their bona-fides by bringing the tank into an efficient working order and satisfy the Govt that it is a remunerative work capable of irrigating a decent atchkat below it." As per orders of the Revenue Commissioner the Supt of Survey was then requested to express his opinion in the case, and

Pet 107 of 11-7-95

Sub Divn. officer at Para 6 of his letter No. 264 of the 25th December 1894 to the address of the Dy. Commr., 1/4 remission of the net assessment might be allowed directly the tank was reported up to standard and on the condition, which of course goes without saying, that the tank be maintained up to standard."

The Deputy Commr. has replied as follows:-

× ×

"Has the honor to submit the accompanying copy of the Chikballapur Sub Divn. officer's docket No. 121 dated 9th instant together with the original records therewith received from which it would appear that the old accounts having been destroyed the information called for is not accurately ascertainable but that it is alleged that a dry assessment as per margin varying from Rs 78-15-1 in Akshaya (1866-67

[illegible] quoted above [illegible] 9 of the [illegible]

in the file

		Rs as Rs
Akshaya	1866-67	78-15-1
Bhava	1867-68	97-10-4
Bhava	1868-69	41-5-10
Aklu	1869-70	33-5-4
Prodhi	1870-71	33-5-4
Vipathi	1871-72	35-13-9
Agirasa	1872-73	35-13-9
Sarvakha	1873-74	37-10-5
Bhava	1874-75	37-10-5
Yuva	1875-76	37-10-5
Bhatu	1876-77	37-10-5
Eswara	1877-78	26-2-2
Sudhanya	1878-79	8-11-7
Pramadi	1879-80	8-11-7

16 16

to Rs 8-11-7 in Pramadi (1879-80) was levied on the lands during the interval between the construction of the tank and the survey settlement."

The Sub Divn. officer in his letter No. 121 referred to above to the Deputy Commr. states as follows:-

× ×

"From the report of the Amildar of Geribidnur it is clear that the lands in question were assessed at dry rate before the survey settlement.

At the survey settlement only 3 acres 25 gts were assessed Rs 11 at wet rate and the rest charged with dry rate. The tank is in an incomplete state and the complainants intend completing the work after definite orders are passed as regards their application to continue dry rate even after the completion of the tank."

KLR 21-12-95

The question for

The Deputy Commr was also ~~cautioned~~ requested to state what was the assessment - wet or dry - which was levied on the lands in question during the interval between the construction of the tank and the survey settlement.

No 536/P108 of 12.7.95

The Supt of Survey thereupon replied as follows:-

No 384 of 26.7.95

"In my opinion the fact that, as admitted by the Deputy Commr at Para 4 of his letter No 401/246 of the 23d July 1894 to the address of the Sub Divn Officer, the terms of the Chief Commr's Proclamation were stated in the Deputy Supt's order No 39 dated 13th June 1865 to be applicable in some respects to the tank, points to some consideration being shown to the applicant. I think that as suggested by the

* quoted above (vide page 3 of the Precis)

decision is whether the petitioners are under the above circumstances entitled to the concession prayed for by them to pay only dry assessment on their lands below the tank at Hunisekunte in the Goribidnoor taluk.

In their petition to Govt (No 1312 dated 30th September 1893) the petitioners complain of the levy of wet assessment on the archakat land below Hunisekunte tank. They do not state what is the actual extent of land in respect of which they claim the concession.

But in his letter no 264 dated 25th Decr 1894 to the Deputy Commr of Kolar, the

18

Sub-Divn officer of Chickaballapur State:—

"There is very little wet land below the tank. Before the survey settlement, land, of which the extent now is 256 acres 14 gs and assessmt Rs 179-12-0 was in the holding of the petitioners who resigned most of it before the settlement. Land measuring 18 acres 9 gs and bearing 23½ Rs assessment is in their holding now. Of this 3 acres 25 gs assessed at Rs 11 is wet land on which petitioners claim the concession of dry rate of assessment being fixed."

[illegible] 18.3.

Mr Krishna Shastri
Please see if the records that have been already furnish the information wanted by the Councillor. If not, please draft a docket.
[illegible] 24/3/96 [illegible] 24/3/96

I want one more information on the point upon this can go to the Council & that is what is the source of water supply to this tank? From any govt work or other independent source. Does this tank affect the supply of any other govt tank. Please obtain this information for me.
[illegible] 21/3/96

Sub. for orders.
The purchasers at sale have not sub. any petition — Council case.
[illegible] 18/3 [illegible] 20/3

19-3-96.

Office
Get this information
22/3/96

The Dy Comr in his letter No 4285/1160 of 9 May 1896 states "that the tank is fed by the drainage water of an adjoining [illegible] & does not receive its supply from any Govt or private work of irrigation and it does not affect the supply of water to any other Govt tank"

In the [illegible] charge received with the above it is stated that the wastewater discharge of this tank goes to Dodda Halla & thence to the Kundi river which flows to the Pargi Tank in Her Majesty's Territories.

Submitted

[illegible] 17/5

[illegible] 5-5-96

I agree with the Survey Supt & think that the Petrs are entitled to the concession prayed for. The dry agreement does not come within the operation of any concession. It is only so much of the wet land assessed with wet rates. One-fourth of the maybe remitted subject to the condns mentioned by the Survey Supt. This will have effect from the date of Rev settlement. As the Dy Comr has not confirmed the sale proceedings let us not inter

- fere with them & leave
it to the Dep Comm to
pass final orders

1.9.96 [illegible]

[illegible]
[illegible]
10/9/96

[illegible]

Pet
735 — Dist 30 [illegible]
18-11-93

MYSORE DEWAN'S OFFICE,

[illegible] ENT.

[illegible] MORANDUM.

(2)

Camp Regd

The accompanying Petition No. 585/1312

dated 30th Septr. 93 received at the

Dewan's Office from Seenappa, Naranappa and others, Complaining of the levy of wet assessment on their lands below Hathlagavad Tank Goribidnur Taluk.

is forwarded, ~~together with its~~

~~enclosures~~, to the Deputy Commissioner Kolar District for an immediate report as to how the case has been dealt with by the Deputy Commission

L.R. 89-93. 2

D.R. Vol XIII
8404

By Order,

Chief Secretary.

[illegible]GALORE, 8 Novr 1893
SR

[illegible]
9/4

M. G. C. P. Bangalore. 21-11-92—3,000.

C.C. - D.R. Vol XII
5708

Gen. 31.]

1895

(3)

OFFICE OF THE DEWAN OF MYSORE
18192
28 JUN 1895
No. 765

The report was called for by order with [illegible] ket - vide [illegible] No. 555/1312 -
Subd for orders -

L.R. 89-93-3

From The Deputy Commissioner
Kolar district

To Revenue
The Secretary to the Government of Dewan of Mysore.

Dated 23rd June 1895
Despatched 26th do.
Received
General No. 5067
No. 1548
Enclosure No. 28 file

Reporting on the petition from Seenappa Narnappa and others Hathlagvaddars of Hunisekunte, Goribidnur Sahib —

Submitted to the Commission for orders. The Dy Comr is of opinion that the Petr is not entitled to the concession usually granted in the case of Private lands. This is virtually an appeal from the Dy Comrs order

5-7-95

The immediate report called for has come nearly after two years!

I suppose the survey settlement was introduced long after the construction of this tank. What was the assessment which was levied during this interval - wet or dry. This information wanted if it is not to be had in the [illegible] Dy Comr to supply it. At the [illegible] in the meanwhile [illegible] the survey supdt for [illegible] the [illegible] this opinion

[illegible] Petr

Abh 28/6/95

6.7.95

Draft accepted

6.7.95

3/7

[illegible] 2 [illegible] file
6/7

Kolar Deputy Commissioner's Office
Dated, Camp Jangamkota 23rd June 1895.

To

The Revenue Secretary to the
Government of Mysore.

Sir,

Adverting to your official Memorandum No: Pet/735 dated 8th November 1893 forwarding for report a petition from Seenappa, Narnappa and others complaining of the levy of wet assessment on their lands below a Hathlagavad tank at Hunsekunte, Goribidnur Taluk, I have the honor to submit herewith for information copy of this Office letter No: 401/246 dated 23rd July 1894 to the address of the Sub-Division Officer, Chikballapur, with copy of that Officer's reply No: 264 of the 25th December 1894 together with the original records bearing on the subject as per Ferist attached thereto.

+ herewith returned

to be obligingly returned

2. After a careful consideration of all the circumstances of the case, I feel myself unable to agree with the Sub-Division Officer in thinking that the Petitioners are entitled to any concession in respect of the

lands

land till the Petitioners, establish their bona fides by bringing the tank into an efficient working order and satisfy the Government that it is a remunerative work capable of irrigating a decent atchkat below it.

I have the honor to be,

Sir,

Your most obedient Servant,

[signature]

Deputy Commissioner
Kolar District.

No. 401/246

31

Kolar Deputy Commissioner's Office
Dated the 23rd July 1894.

To

The Sub Division Officer,
Chikballapur.

Sir,

Adverting to your letter No. 25 dated the 5th Instant, regarding the petition of Leenappa and others complaining of the levy of wet assessment on their lands below a Hathlagavad Tank at Hunsekunte in the Gorbidnur Taluk, I have the honor to observe that para 5 of the late Chief Commissioner's Circular No. 227 of the 31st March 1863 lays down that "in the case of a ryot constructing a new work, either Tank or Well at his own expense, where no such means of irrigation previously existed, the dry land rate of assessment which formerly prevailed should not be disturbed, except in cases of a general revision of assessment since it is only just and fair that a man should reap the profits of capital laid out by himself."

x p. 187 Rev. Manual

2. Such works must under the terms of para 4 of the Chief Commissioner's Order No. 366 dated the 23rd December 1871 have been carried out with the sanction of competent authority and duly maintained at the approved standard by the parties undertaking

x p. 190 of Do

their

lands referred to by them.

3. The case does not fulfil the requirements of the Government orders quoted in my letter to the Sub Division Officer and the Petitioners cannot therefore in my humble opinion be regarded as Nathlagavaddars justly entitled to the liberal terms offered in the late Chief Commissioner's Circular No: 227 of the 31st March 1863.

4. In the first place, the Petitioners have not produced any written authority from the District Officer sanctioning the construction of the tank or conferring on them the status and privileges of Nathlagavaddars within the spirit of the Circular orders, nor does the tank which is alleged to have been constructed at an outlay of Rs 2000/- appear to have been built according to any design or estimate approved by the Revenue or D. P. W. authorities and examined by such authorities after completion.

5. The wet atchkat below the tank is most insignificant being only 3 acres and 25 guntas assessed at Rs 11 and even

this

this does not seem to have ever been brought under cultivation since the Survey Settlement which took place in 1880/81. There is nothing to show that any considerable extent of land was irrigated by the tank even prior to the Survey Settlement beyond the Petitioners' bare allegation that about 30 Acres used to be so irrigated. The Amildar reports that the Pahani accounts of the years before the Settlement have been destroyed.

Vide Petitio[illegible] Kaifiet (m[illegible] A) dated 1[illegible] October 189[illegible] with the en[illegible] records.

6. It is thus inexplicable how the Petitioners could have laid out so large a sum as Rs 2,000/- on the tank with little or no profit in return nor is it possible under the circumstances to suppose that the tank could ever have been maintained by them at any approved standard so as to render them eligible for any concession under the rules.

7. The rate of assessment imposed by the Survey Department on the land in question is favorable enough being only 3 Rupees per acre and I cannot recommend any further concession in respect of this small extent of

land

their construction. The rates of assessment on the lands under the said works are liable to revision at each new settlement, equally with those imposed on ordinary Kandayem lands.

3. The orders of Government noted in the margin* direct, (1) that no case of asserted construction or repair of a tank or well shall be entertained without written authority being produced, having distinct reference to the case in question; (2) that on production of such written authority, the same should be examined as to its terms and an enquiry be then instituted by the Superintendent of Revenue Survey as to the extent and cost of the repairs and as to the previous condition of the said tank or well, after which he should (3) grant a reduction of assessment not exceeding one-fourth or impose the maximum dry crop rate, according to local circumstances; also that the Survey Superintendent should satisfy himself as to the validity of the original order giving over the tank with the lands under it and as to its terms and conditions having been fairly complied with.

* 1 Secretary to the Chief Commissioner's letter General No: 104 / Revenue No: 9 dated 6th April 1872 para 2.
1 Order No: 7402 – Rev: 448, dated Camp Hassan – 13th January 1875 para 4 / Vide pages 191–92 of the Mysore Revenue Manual of 1886

X pages 191 & 192 of Rev. Manual.

4. The available records connected with the

case

case under notice simply show that in his order No. 59 dated the 7th July 1865, Mr. Krishniengar, late Deputy Superintendent of the District granted to one Hanumantappa and Sheshappa on Shraya Cowle for 3 years certain Government unoccupied dry lands attached to Hunsehunte village, Goribidnur Taluk, with the approval of the Superintendent late Nandidroog Division though in a previous order (No. 39 dated 13th June 1865) issued by the Deputy Superintendent to the Amildar of the Taluk on the subject it is stated that under the terms of the Chief Commissioner's Proclamation the applicants would after obtaining the lands be at liberty to cultivate any kind of crop thereon by means of a well or tank constructed by themselves.

5. In granting the land on Shraya tenure no reference is made to the grant of permission to restore or construct the Kunte in question. The absence of any concession such as the one petitioners now claim is conspicuous in the Superintendent's order.

6. I would therefore before taking further action in the matter, request you to furnish me with information on the following points:—

(1) Did the Petitioners or their predecessors in title obtain written authority from the Deputy Superintendent for the construction of the tank

which

which they claim as a Nathlagavad Tank and if so where is such authority?

(2) When, i.e., after or previous to obtaining possession of the land, was the tank constructed by the Petitioners or their predecessors and what was the cost of its original construction?

(3) Was the tank constructed according to an Estimate approved by the Deputy Superintendent or the Irrigation Department?

(4) Has the tank undergone any repairs since the date of its original construction and if so how often, when and at what cost?

(5) What was the condition of the tank at the time of the Survey Settlement, what is its present condition and has it always been maintained at the approved standard?

(6) Have the Petitioners kept proper accounts of the outlay incurred by them on the construction of the tank and on the subsequent repairs (if any) executed by them and if so have they furnished such accounts to the Taluk authorities from time to time?

(7) Was the tank inspected by any responsible Revenue or D. P. W. Officer immediately after completion and the work certified to have been carried out satisfactorily and according to approved design and estimate?

7. A statement showing the total ayakat below the tank, the area under cultivation and that lying waste with assessment thereon during each year since the Survey Settlement with an explanation as to the cause of any variations in the figures should also be forwarded.

8. The enclosures of your letter under reply are herewith returned for reference and retransmission.

9. An early report is requested.

I have &c,

(Signed) G. Madiah,
Deputy Commissioner,
Kolar District.

"Copy"

Deputy Commissioner,
Kolar District.

No: 264.

36

Sub Division Office
Chickballapur,
Dated 25th/26 December 1894.

From

The Sub Division Officer,
Chickballapur.

To

The Deputy Commissioner,
Kolar District.

Sir,

With reference to your No: 41/246 dated the 23rd July last, I have the honor to forward the accompanying file of correspondence ending with the Goribidnur Amildar's report No: 253 dated 28th October 1894.

2. With regard to the first question, the petitioners say that they lost the Deputy Superintendent's final order authorizing them to construct the tank. They quoted the number 77 of the 23rd October 1867, in their petition to the Deputy Commissioner dated the 24th March 1888. Considering the long time that has elapsed, the terms of the Darkhast Inuchalika already referred to and the Deputy Superintendent's Order No: 39 dated the 13th June 1865 which are in the records may perhaps be accepted as some evidence of their allegation.

3. The petitioners say they constructed the tank

at

at a cost of Rs 2,000-2-8 but Hanumanthapa in his petition of the 24th March 1888 states the cost to be upwards of Rs 1500/-

4. There is nothing to show that any estimate was prepared by the Deputy Superintendent or the Irrigation Department.

5. The petitioners say that they repaired the tank twice, once in Vikhava and again in Dhatu. There is no other proof of this than their own statement and putty.

6. During my last Jamabandi inspection I inspected the tank. The bund is in fair order but not the kodi or sluice. Considering that the petitioners have not, for many years, been given any remission it is too much to expect them to keep the tank in tip top order. The grant of concession may now be made conditional upon their putting the tank in good order.

7. The petitioners have produced putties of cost which they allege they incurred. They never furnished any account to Government.

8. There is very little wet land below the tank. Before the Survey Settlement, land, of which the extent now is 256 Acres and 4 guntas and assessment Rs 179-12-4, was in the holding of the petitioners, who resigned most of it before the Settlement.

Land

39

Pet 107 2 Drafts

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

(4)

The accompanying ~~Petition~~ letter No. 5057/1548 dated 23 June 1895 received at the Dewan's Office from the Dy. Commr. Kolar District, reporting on the petition of Seenappa and others complaining of the [illegible] assessment on their lands below the [illegible] Kunte [illegible] Cultivation [illegible]

is forwarded, together with its [illegible] enclosures, to the Supt. Revenue Survey for the favor of his opinion ~~at an early da~~

2. The letter and its Enclosures should be returned

By Order,

Dept. 11-7-95

BANGALORE, 11-7-1895

~~Chief~~ Secretary

Rev:

[illegible] 9/7 [illegible] 9/7

M.G.C.P.B.—19-2-95—1,000

L.R. Vol. XII L.R. 89-93 H

5-9-06

2 drafts

(5)

L. R. 89-93-5

~~D. R. Vol XV~~
~~5-9-07~~

To

The Deputy Commissioner
Kolar District

No 536/P.108 dt 12.7.95

Encl: Verifile.

His letter No 505/1548 dated 23d ultimo reporting on the petition of Seenappa and others complaining of the levy of wet assessment on their lands below the Hunsekunte, Gori-bidnur Taluk

---

With reference to the above, has the honor to request that he will be so good as to state what was the assessment - wet or dry - which was levied on the lands in question during the interval between the construction of the tank & the survey settlement.

The vernacular records

Land measuring 18 acres and 9 guntas and bearing 23½ Rs assessment is in their holding now. Of this 3 acres and 25 guntas assessed at Rs 11 is wet land on which petitioners claim the concession of dry rate of assessment being fixed. The arrear due on the land amounted to Rs 118-1-7 up to Nandana and has been since accumulating pending the settlement of this question of concession.

I have &c

(sd) A. Krishnaswami Iyengar,
Sub Division Officer
Chikkballapur.

"Copy"

Deputy Commissioner,
Kolar District.

received with the above
is returned for reference
& resubmission.

By order

12-7-95

Rev Secretary

42

(General Serial No. 36.)

REVENUE DEPARTMENT. DEWAN'S OFFICE. Gl. No. 759 189 29 JUL. 95

From The Govt. Mysore Rev. Survey

6

Petn. Br. 29/7/95 L.R. 89 93-6

Reply from the Reform & Docket No 536 of 12-7-95 is due - Draft Umuddu RR 1/8

Drafted JUR 3/8

~~D.R. Vol XII~~ ~~S 908~~

To

The ~~Chief~~ Rev. Secretary to the ~~Dewan~~ Govt. of Mysore.

Dated Bangalore 26th July/95

Despatched

Received

Enclosures No. one file of corres.

General No. 384 / No.

In reply to Revenue Secretary's No. Pet 107

SUBJECT. D/11.7.95

Submitting his opinion on the petition of Seenapa and others complaining of the levy of wet assessment on their lands below the Hunsekunte tank Goribidanur Taluk

References (to be entered only in the Dewan's Office).

No 384 43

(6)

Survey Superintendent's Off:
Bangalore 26th July 1895

To

The Revenue Secretary to the
Government of Mysore

Sir,

I have the honor, in reply to your Official Memorandum No Pol 104 dated 11th July 1895, to state that in my opinion the fact that, as admitted by the Deputy Commissioner at Para 4 of his letter No 401/246 of the 23rd July 1894 to the address of the Sub

44

Sub Division Officer, the terms

of the Chief Commissioner's Pro=

=clamation were stated in the

Deputy Superintendent's Order

No 39 dated 13th June 1365 to be

applicable in some respects to

the tank, points, to some

consideration being shown to

the applicant. I think that

as suggested by the Sub Division

Officer at Para 6 of his

No 264 of the 25th December

1894

45

1894 to the address of the Deputy Commissioner 1/4 remission of the wet assessment might be allowed directly the tank was reported up to standard and on the condition, which of course goes without saying, that the tank be maintained up to standard. The enclosures are herewith returned.

I have the honor to be
Sir,
Your most obedt Servant

[signature]

Suptt Mysore Revenue Survey

48

Gen. Serial No. 31.]

1895

From The Sub Division Office
Chickballapur

To The Deputy Commissioner
Kolar District

Dated Camp ~~[illegible]~~ Gudibanda 18th Novbr.

Despatched

Received

Enclosures No. 1 file of cau. records

General No. 121.
No.

His Memo. No. 380/271 dated 24th July last forwarding copy of Revenue Secretary's Docket No. 108 of 12th Instant calling for report anent the assessment levied on the lands below the Hanasankante tank in the interval between the construction of the tank and the survey settlement.

Has

I have the honor to state that from the report of the Amildar of Goribidnur it is clear that the lands in question were assessed at dry rate before the survey settlement.

At the survey settlement only 3a-2G.5 were assessed as wet rate and the rest charged with dry rate. The tank is in an incomplete state and the complainants intend constructing the work after definite orders are issued as regards their application to continue dry rate even after the completion of the tank.

The records connected with the case are submitted.

(sd) B G Krishnaiengar
Sub Division Officer
Chikballapur

'Copy'

Deputy Commissioner
Kolar Division.

287

46

Gen. 31.]

GOVERNMENT OF MYSORE

REVENUE DEPARTMENT. Gl. No. 4001 No. 1895 21 NOV. 95 Pet 354 DEWAN'S OFFICE.

(8)

From The Deputy Commissioner Kolar District

To Revenue

The Secretary to the ~~Dewan~~ of Mysore.

Government

Dated Camp Malur 18th Nov/95.

Despatched 20th.

Received

General No. 1897

No. 492

Enclosure No. 1 & 1 file

His docket No. 536/P108 dated 12th July 1895 enquiring what was the assessment wet or dry which was levied on the lands below the Hunsekunte, Goribidnur Taluk during the interval between the construction of the tank and the Survey settlement.

Adverting to the above, has

Pet
21/11/95 L.R. 89-93-4

D.R. Vol XII
5909

be oligingly returned.

has the honor to submit the accompanying copy of the Chick Ballapur Sub Division officers docket No 121 dated 9th Instant together with the original records therewith received from which it would appear that the old accounts having been destroyed the information called for is not accurately ascertainable but that it is alleged that a dry assessment as per margin* varying from Rs 78-15-1 in akshaya (1866-67) to Rs 8-11-7 in Pramadi (1879-80) was levied on the lands during the interval between the construction of the tank and the survey settlement.

* Akshaya 1866-67.
Prabhava 1867-68
Vibhava 1868-69
Sukla 1869-70
Pramodita 1870-71
Prajolpatti 1871-72
Angirasa 1872-73
Sreemukha 1873-74
Bhava 1874-75
Yuva 1875-76
Dhatu 1876-77
Eswara 1877-78
Bahudhanya 1878-79
Pramadi 1879-80.

For Deputy Commissioner
Kolar District.

52

Gen. 31.]

REVENUE DEPARTMENT
Gl. No. 6862
1896 11 MAR. 96
DEWAN'S OFFICE

Pet. Branch
11/3/96

11/3

Submitted
13/3

L.R. 89-93-9

R. Vol. XII

59

From The Dy Commissioner
Kolar Division

To

The Secretary to the Government
~~Dewan~~ of Mysore.
Revenue and General Departments

Dated 9th March

Despatched 9/3

Received

General No. 3265
No. 861

Enclosure No. 1 file

Revenue Secretary's docket No. 6817 dated 29th January 1896 calling for further information regarding the petition of Geenappa and others complaining of the levy of wet assessment on their lands below the Hunsekunde Gurikeduva Lalool.

According to the above, has the honor to report that the sale of the lands referred to was not confirmed owing to the Khatedar's Takrar in the matter, and that the lands are

are partly in his possession and partly in that of his Shikhim Ramadyam-dars.-

The Amildar's report No 532 dated 20th Nelimo and the original records bearing on the subject as per accompanying Fiscal are herewith submitted for reference and obliging return when no longer required.-

[signature]
Deputy Commissioner

[illegible]

Dept Sub 2 for approval

50

p.

(9)

L.R. 89-93-8

~~D.R. Vol XII~~

~~S 910~~

To
The Deputy Commissioner
Kolar District

Dy 29
Despd 31 } Jany 96.

No. 6817 / P.F. 51-95 } 29.1.96. Enc: one
31 file of V. records.

His docket No. 1897/492 dated
18th Nov. 1895.

In returning the records received with the above, for reference & resubmission, has the honor to invite the attention of the Dy Commr to the notice issued by the Amildar to Petitioners Hanumantappa & others on the 28th May 1894 warning them that the sale of their lands held on 10th Septr 1893 would be confirmed if the arrears were not paid within one month; and to request that the Dy Commr will be so good as to state whether, in view of the Petrs failure to comply with that notice, the sale was confirmed, and if so on what date and in whose possession the lands

are at present.

51

By order

HOh

29/1

Revenue Secretary

29/1

55

L. R. 89-93-11

~~Q. R. Vol XII~~

5913

Gen. 31]

REVENUE DEPARTMENT. Gl. No. 8481 Pet No. 724 14 MAY 95 DEWAN'S OFFICE.

From The Deputy Commissioner Kolar District

To The Secretary to the Govt of Mysore R & G Deptt

Dated 9th May

Despatched 11th

Received

General No. 4285
No. 1169

Enclosure No. 1 file

Furnishing information in regard to the petn of Seenappa & others of Hunsekunda Jamabandi

Petn March
13/5/95

GL

Submitted.
15/5

Deputy Commissioner's Office
Kolar District
Dated 9th May 1896.

To

The Secretary to the
Government of Mysore
Revenue and General Departments.

Sir

With reference to your docket No: 8781/P 451-95 dated 24th March 1896 calling for further information in regard to the petition of Seenappah and others complaining of the levy of wet assessment on their lands below the Hunsakunte, Goribidnur Taluk, I have the honor to submit herewith the Amildar's report No: 373 dated 22nd ultimo with its enclosure on the subject. It will be observed from the same that the tank is fed by the drainage water of an adjoining hill. It does not receive its supply from any Government or private work of irrigation and it does not affect the supply of water to any other Government tank.

I have the honor to be
Sir
Your most obedient servant
Narayanaiyanga
for Deputy Commissioner
Kolar District.

1896

No 8781 / P.F. 51-95.

(11)

To

The Deputy Commissioner
Kolar District

Dated 24th / 27 march 1896

~~No Pet 1772~~

His docket No. 3265 / 861 dated 5th instant reporting with regard to the sale of ~~the~~ lands held by Seenappa & others below Hunisekunte tank in the Goribidnoor Taluk.

With reference to the above has the honour to request that the Deputy Comm^r. will be so good as to state what is the source of water supply to the tank above referred to, whether the tank receives ~~water~~ its supply ~~to the sind tank~~ from any Govt. work or other independent source and whether the tank ~~in question~~ affects the supply of water to any other Govt. tank

By order

Draft
C2

24/3
for Secretary
24.3.96

57 (14) Proceedings of the Government of Mysore.

L.R. 89-93-12
D.R. Vol XII
S 4 14

Read:—

Correspondence ending with letter No. 4285/1169 dated the 9th May 1896 from the Deputy Commissioner, Kolar District, relating to the Petition of Hanumunthappa, Shanbhog & Baichapur, & Venkatramanappa and others of Hosur, Goribidnore Taluk, praying for the re-imposition of dry rates of assessment on 3 acres, 25 guntas out of survey No. 27, held by them below the Hunse Kunte Tank, Goribidnore Taluk, and for cancellation of the sale of their lands for failure to pay the wet rates of assessment imposed at the survey settlement.

(1128)

No. 6439-40 / P.F. 51-95 } 20.1.97. Order thereon.

(Encl) 2 V. files

In 1865, the Deputy Superintendent of Kolar granted about 10 Kandies ~~of waste~~

Order is noted in the Register
20-1-97

waste land at Hunse
Kunte to Shanbhag Hanu
manthappa of Baichapur
and Shanbhag Sekappa of
Hosur with permission to con-
struct a ~~kunte~~ tank therefor
under the terms of the Chief
Commissioner's Circular of
1863. A tank was accor-
dingly built, but it is reported
to be in an incomplete state,
the sluice and waste weir not
being in good order. The tank
is fed by the drainage water
of an adjoining hill and
does not receive its supply
from any Government or
private work of irrigation
or affect the supply to any
Government tank. Petitioners
urge that before the Survey
Settlement they paid only
the dry ~~water~~ assessment
on the lands irrigated by
the tank, but the Pahani
accounts of the years before
the settlement are not
forthcoming. At the Survey
Settlement in 1881, ~~three~~ 3

up to standard. ~~The Govt~~
3. The Government agree ~~agree~~ with the Survey Superintendent and are of ~~[illegible]~~ opinion that the Petitioners are entitled to the concession prayed for. One fourth of the assessment fixed at wet rates on 3 acres and 25 Guntas of land refo to above will be remitted subject to the conditions mentioned by the Survey Superintendent. This will be given ~~have~~ effect from the date of the Revenue Settlement.

The dry assessment does not [illegible] the perpetuity of any concession

4. As the Deputy Commissioner has not confirmed the sale proceedings ~~[illegible]~~, Govt do not interfere with them. ~~They~~ leave it to the Deputy Commr to pass final orders regarding the sale.

~~By order~~

20-1-97

Secretary.

[illegible] 141

[illegible] 187-194

I think this was proposed put in. It need not be left out [illegible]

20/1/97

2 files viz:
X. read with Dy Commrs letters nos: 3265/861 + 4285/1169 d 5th march & 9th may 1896.

To

The Deputy Commr,
Kolar District, with records X
The Supt. Revenue Survey.

No. C588/1312

62 (13)

L.R. 89-93-13

D.R. Vol XII

5-4-15

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 1893 [illegible]

[illegible] 30 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

~~[illegible]~~

[illegible]

[illegible]

[illegible]

59

acres, 25 gunlas of land out of Survey no. 27 below the tank was classed as wet, and assessed at Rs 11/-. The Petitioners have been since then praying for the imposition of dry rates and withholding the payment of wet assessment; but though reports and references were called for no final order appears to have been passed by the Deputy Commissioner in regard to their prayer. In 1893, steps were taken for the recovery of the arrears which had accumulated from the year Swabhanu (1883-84) and Petitioners' lands were sold. But the sale was not confirmed owing to the objection of the Khatedars, and the lands are reported to be in the possession of the Khatedars and their Shikmidars.

2. The Deputy Commissioner considers that the Petitioners are not entitled to any concession as the tank does

does not appear to have been constructed according to any design or plan approved by the Revenue or D. P. W Authorities or maintained at any approved standard, and the Petitioners have not produced any authority conferring on them the status and privileges of Hattagovaddars. The Superintendent, Revenue Survey, however observes that the reference to the terms of the Chief Commr's proclamation of 1863 in the Deputy Superintendent's Order of June 1865 points to some consideration being shown to Petitioners and that remission of 1/4th of the wet assessment may be allowed on the tank being brought up to standard and subject to the condition that it ~~should~~ shall be maintained

[illegible]

1896

By order

[illegible] 20-1-97

For secretary

[illegible]
[illegible]/9/96